

CERTIFIED TRUE COPY

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RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF

ROGER BROWN, D.D.S.
License No. DI 13232

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of information that Roger Brown, D.D.S. ("respondent"), had pled guilty to one count of second degree health care claims fraud, had entered into a consent order with the Office of the Insurance Fraud Prosecutor, and had been debarred from the State Medicaid program. Specifically, in the criminal matter, the Court sentenced respondent to three years in a State Prison, fined him \$25,000, and suspended his dental license for a period of one year. Respondent paid approximately \$285,000 in restitution. Respondent agreed to pay the Office of the Insurance Fraud Prosecutor a civil penalty of \$66,000, based on

the allegations that respondent had knowingly submitted false and misleading claims to Medicaid, Aetna US Healthcare, Delta Dental, and MetLife.

Having reviewed the entire record, including the judgment of conviction, the transcript of both the plea and sentencing hearing, the Consent Order entered by the Office of the Insurance Fraud Prosecutor, and materials submitted on respondent's behalf, including letters of recommendation, and having considered the restitution and penalties respondent has paid in connection with the civil and criminal actions, it appears to the Board that these facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(b); (e); (f); (g); (h); and(k), and warrant imposition of a substantial sanction. It appearing that respondent desires to resolve this matter without recourse to formal proceedings and for good cause shown:

IT IS ON THIS 17th DAY OF May, 2006

HEREBY ORDERED AND AGREED THAT:

1. Respondent's license to practice dentistry shall be and hereby is suspended nunc pro tunc, effective July 29, 2005, for period of five (5) years, of which the first 364 days shall be served as a period of active suspension, and the remainder of which shall be stayed and served as a period of probation.

2 Respondent is reprimanded for his actions, which constitute fraud and professional misconduct. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

3 Respondent shall fully attend and successfully complete the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in

Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903, within three months of resuming active practice in New Jersey. Documentation of full attendance and successful completion of the course shall be provided to the Board.

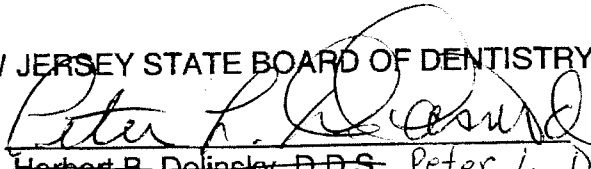
4. Respondent shall take and pass the Law and Jurisprudence examination administered by the Board prior to resuming active practice in New Jersey.

5. Respondent, at his sole expense, shall be subject to random audits of his charts during the period of probation. Respondent shall cooperate with representatives of the Board, including but not limited to, the Enforcement Bureau of the Division of Consumer Affairs, in connection with such audits.

8. Failure to comply with any of the terms of this consent order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By:


Herbert B. Dolinsky, D.D.S. Peter L. DeSciscio, DMD
Vice-President

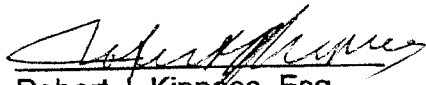
I have read and understand this Consent Order and agree to be bound by its terms. I consent to the entry of this Order.


Roger Brown, D.D.S.

Date

4/18/06

I consent to the entry of this order as to form.


Robert J. Kipnees, Esq.
Attorney for Roger Brown, D.D.S.

Date

4/19/06